

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CT-3261-D

JIMMY LEE HARRIS,

Plaintiff,

v.

UNIT MANAGER AVCOOK,
et. al.,

Defendants.

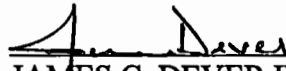
ORDER

On April 11, 2016, Magistrate Judge Numbers issued a Memorandum and Recommendation ("M&R") [D.E. 11]. In the M&R, Judge Numbers recommended that plaintiff's complaint filed pursuant to 42 U.S.C. § 1983 [D.E. 1] be dismissed for failure to state a claim upon which relief may be granted. Id. at 8. Neither party objected to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration, emphasis, and quotation omitted). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Id. (quotation omitted).

The court has reviewed the M&R, the record, and the pleadings. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 11]. The clerk shall close the case.

SO ORDERED. This 18 day of May 2016.



JAMES C. DEVER III
Chief United States District Judge